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# REPORT OF THE UNITED NATIONS CONFERENCE ON ENVIRONMENT AND DEVELOPMENT

## Institutional arrangements to follow up the United Nations Conference on Environment and Development

## Report of the Secretary-General

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# I. INTRODUCTION

1. The United Nations Conference on Environment and Development held at Rio de Janeiro, Brazil, from 3 to 14 June 1992, marked the beginning of an important new phase of international cooperation in development and environmental management, based on the recognition of the need for an integrated approach to all issues of environment and development. The Conference was unprecedented in the scope of its work, in the level of participation, in the scale of governmental and non-governmental involvement and the extent of public impact. At its final session, the Conference adopted the Rio Declaration on Environment and Development, a comprehensive programme of action called Agenda 21 and a set of principles/elements on forests ("The Non-legally Binding Authoritative Statement of Principles for a Global Consensus on the Management, Conservation and Sustainable Development of all Types of Forests"). 1/ In addition, the United Nations Framework Convention on Climate Change and the Convention on Biological Diversity were opened for signature at the Conference.

2. Chapter 38 of Agenda 21 contains a comprehensive set of recommendations related to international institutional arrangements required to ensure effective follow-up to the Conference including the implementation of Agenda 21 at the national, regional and international levels. These decisions call for institutional arrangements that should be innovative in nature, while contributing to the restructuring and revitalization of the United Nations in the economic, social and related fields and the overall reform of the United Nations, including ongoing changes in the Secretariat.

3. The institutional arrangements to follow up the Conference should thus strengthen the role and potential of the United Nations, including the General Assembly and the Economic and Social Council, in the interrelated fields of environment and development, so as to enable the Organization to respond effectively to the needs of the international community in these crucial areas.

4. The Conference, in paragraph 38.11 of Agenda 21, recommended that a high-level Commission on Sustainable Development be established in accordance with Article 68 of the Charter of the United Nations. This Commission would report to the Economic and Social Council in the context of the Council's role under the Charter vis-à-vis the General Assembly. It was further recommended in paragraph 38.12 that the General Assembly, at its forty-seventh session, should determine specific organizational modalities for the work of the Commission, such as its membership, its relationship with other intergovernmental United Nations bodies dealing with matters related to environment and development, and the frequency, duration and venue of its meetings. Those modalities should take into account the ongoing process of revitalization and restructuring of the work of the United Nations in the economic, social and related fields, in particular measures recommended by the General Assembly in resolutions 45/264 of 13 May 1991 and 46/235 of 13 April 1992 and other relevant Assembly resolutions. In that connection, the Conference requested the Secretary-General of the United Nations, with the

assistance of the Secretary-General of the Conference, to prepare for the Assembly a report with appropriate recommendations and proposals.

5. In paragraphs 38.16 and 38.17 of Agenda 21, the Conference stated that effective monitoring, coordination and supervision of the involvement of the United Nations system in the follow-up to the Conference required a coordination mechanism under the direct leadership of the Secretary-General. It recommended that this task be given to the Administrative Committee on Coordination (ACC), which would thus provide a vital link and interface between the multilateral financial institutions and other United Nations bodies at the highest administrative level. The Secretary-General was invited to continue to revitalize the functioning of the Committee.

6. In paragraph 38.18 of Agenda 21 the Conference stated that intergovernmental bodies, the Secretary-General and the United Nations system as a whole might benefit from the expertise of a high-level advisory board consisting of eminent persons knowledgeable about environment and development, including relevant sciences, appointed by the Secretary-General in their personal capacity. In that regard, the Secretary-General was invited to make appropriate recommendations to the General Assembly at its forty-seventh session. It should be noted that related recommendations are contained in paragraphs 31.4 (d) and 35.7 (c) of Agenda 21.

7. The Conference also stated, in paragraph 38.19 of Agenda 21, that a highly qualified and competent secretariat support structure within the United Nations Secretariat, drawing, inter alia, on the expertise gained in the Conference preparatory process, was essential for the follow-up to the Conference and the implementation of Agenda 21. It recommended that this secretariat support structure should provide support to the work of both intergovernmental and inter-agency coordination mechanisms. It further recommended, in paragraph 38.11 that this structure should provide support for the Commission on Sustainable Development.

8. The Conference also recommended in paragraph 38.44 of Agenda 21 that the General Assembly, at an early stage, should examine ways of enhancing the involvement of non-governmental organizations within the United Nations system in relation to the follow-up process to the Conference. In particular, it was recommended that procedures should be established for an expanded role for non-governmental organizations, including those related to major groups, with accreditation based on the procedures used at the Conference. In paragraph 38.11, the Conference recommended that the Commission on Sustainable Development should encourage the participation in its work of non-governmental organizations, including industry and the business and scientific communities. Related recommendations on the involvement of these organizations in the follow-up to the Conference are contained in paragraphs 27.5 to 27.9 of Agenda 21.

9. Most of the recommendations outlined above require consideration and action by relevant United Nations intergovernmental bodies, including the General Assembly and the Economic and Social Council, as well as by the

Secretary-General and the Administrative Committee on Coordination. This report, prepared in accordance with the requests of the Conference, contains the proposals and recommendations of the Secretary-General on ways and means of organizing effective follow-up to the Conference at the intergovernmental, inter-agency and secretariat levels with a view to facilitating deliberations on this important subject during the forty-seventh session of the General Assembly.

## II. PROPOSALS ON PROCEDURAL AND ORGANIZATIONAL MODALITIES FOR THE HIGH-LEVEL COMMISSION ON SUSTAINABLE DEVELOPMENT

### A. General observations on the functions and powers of commissions established under Article 68 of the Charter

10. Article 68 of the Charter of the United Nations provides that the Economic and Social Council "shall set up commissions in economic and social fields and for the promotion of human rights". The Council is also empowered under this Article to set up "such other commissions as may be required for the performance of its functions". The term "commission" has generally been used to designate two types of bodies, namely the functional commissions, which may be established in order to assist the Economic and Social Council to perform its functions, and regional commissions, which have been entrusted by the Council with broad responsibilities to deal with economic and social problems of a regional character in specific areas of the world. The term commission has been also used occasionally for the standing committees of the Economic and Social Council, set up to assist the Council in various sectoral areas.

11. In general terms, commissions established under Article 68 of the Charter of the United Nations assist, advise and make recommendations and reports to the Council on matters within their competence. 2/ In the case under consideration, the far-reaching nature of the recommendations contained in chapter 38 of Agenda 21, would suggest that the Commission on Sustainable Development should be established as a high-level forum for the comprehensive and in-depth consideration of all aspects of the follow-up to the Conference, and therefore should be entrusted with the broad functions and powers needed to fulfil such a mandate.

### B. Analysis of the recommendations of the United Nations Conference on Environment and Development on the functions of the Commission on Sustainable Development

12. While the general tasks of the Commission on Sustainable Development, as recommended in paragraph 38.11 of Agenda 21, are to "ensure effective follow-up of the Conference, as well as to enhance international cooperation and rationalize the intergovernmental decision-making capacity for the integration of environment and development issues and to examine the progress

in the implementation of Agenda 21 at the national, regional and international levels", specific functions are described in paragraphs 38.13 and 33.13 of Agenda 21 and include the following:

(a) To monitor progress in the implementation of Agenda 21 and activities related to the integration of environmental and developmental goals throughout the United Nations system through analysis and evaluation of reports from all relevant organs, organizations, programmes and institutions of the United Nations system dealing with various issues of environment and development, including those related to finance;

(b) To consider information provided by Governments, including, for example, in the form of periodic communications or national reports regarding the activities they undertake to implement Agenda 21, the problems they face, such as problems related to financial resources and technology transfer, and other environment and development issues they find relevant;

(c) To review the progress in the implementation of commitments contained in Agenda 21, including those related to provision of financial resources and transfer of technology;

(d) To receive and analyse relevant input from competent non-governmental organizations, including the scientific and private sectors, in the context of the overall implementation of Agenda 21;

(e) To enhance the dialogue, within the framework of the United Nations, with the non-governmental organizations and the independent sector, as well as other entities outside the United Nations system;

(f) To consider, where appropriate, information regarding the progress made in the implementation of environmental conventions, which could be made available by the relevant Conferences of Parties;

(g) To provide appropriate recommendations to the General Assembly, through the Economic and Social Council, on the basis of an integrated consideration of the reports and issues related to the implementation of Agenda 21;

(h) To consider, at an appropriate time, the results of the review to be conducted expeditiously by the Secretary-General of the United Nations of all recommendations of the Conference for capacity-building programmes, information networks, task forces and other mechanisms to support the integration of environment and development at regional and subregional levels;

(i) To regularly review and monitor progress towards the United Nations target of 0.7 per cent of gross national product for official development assistance. It will be important to review on a regular basis the adequacy of funding and mechanisms to finance Agenda 21.

13. It can be seen from the recommendations outlined above that the Commission would have broad functions related to virtually all conceptual and practical aspects of evolving international interaction among Governments, intergovernmental institutions and non-governmental organizations and constituencies in the area of sustainable development. It seems to be particularly important for the Commission to integrate monitoring, review and analysis of the programmatic aspects of the implementation of Agenda 21 at the international, regional and national levels, as well as the means of such implementation, particularly those related to finance. Though all of those functions are closely interrelated, conceptually they can be divided into five broad categories:

(a) Functions related to review and analysis of progress in the implementation of the decisions of the Conference, including Agenda 21 and commitments contained therein, particularly those related to finance and transfer of technology;

(b) Functions related to the review of funding and funding mechanisms;

(c) Functions related to the roles of intergovernmental organizations and their respective responsibilities in achieving the goals of sustainable development;

(d) Functions related to the consideration of information provided by Governments and regional organizations;

(e) Functions related to progress made in the implementation of relevant legal instruments and consideration of new instruments in areas not covered by existing ones.

14. The Commission's review of the implementation of Agenda 21 could also include the application and, where necessary, the further elaboration of general principles related to rights and obligations in the area of environment and development, as contained in the Rio Declaration.

15. It would also seem important not to limit intergovernmental work to the review of progress achieved in implementing Agenda 21 and to the consideration of problems that may arise and ways to overcome them, but also to keep Agenda 21 itself under review with a view to adjusting and updating it as may be necessary in the light of economic, financial, technological, scientific, legal and other developments. This would reinforce the dynamic and adaptable character of Agenda 21 as a long-term framework for action by the international community and coordination of relevant activities of international organizations.

## C. Membership

16. The Conference, in paragraph 38.11 of Agenda 21, recommended that the Commission should consist of representatives of States elected as members, with due regard to equitable geographical distribution. It further recommended that representatives of non-member States of the Commission should have observer status. It should be noted that, in accordance with rule 24 of the rules of procedure of the Economic and Social Council, the Council defines the composition of its subsidiary bodies. The membership of the various commissions of the Council ranges from 24 to 53 members. Members of the Commission will be elected by the Council, and may, in accordance with United Nations practice, be elected from amongst States that are Members of the United Nations, or States that are members of the United Nations, its specialized agencies and the International Atomic Energy Agency.

17. It is obviously desirable to secure the involvement of as many Governments as possible in the economic, social and developmental work of the United Nations. This objective is best pursued in relation to the totality of the Economic and Social Council and its subsidiary bodies (the final structure and composition of which will be affected by the ongoing debate on governance in the General Assembly) with different considerations guiding the determination of the optimum size of each of these bodies. In the case of the Commission on Sustainable Development, a key consideration will be to maintain the political momentum achieved at Rio de Janeiro, through the highest level of participation and a format which maximizes the prospects for effective dialogue among high-level participants. This set of considerations would seem to militate in favour of a limited size for the composition of the Commission, subject of course to the principle of equitable geographical distribution (paragraph 32 below is also relevant in this context).

## D. Programme and organization of work

18. The multidisciplinary character and time-frame of Agenda 21 require the elaboration of a flexible multi-year programme of work for the Commission that will provide a framework to assess progress achieved in its implementation and, in the light of the considerations outlined in paragraph 15 of the present report, its further development and updating as might be required, taking into account major international developments affecting issues related to environment and development. Under such a programme, some Agenda 21 components could be considered on an annual basis, while others could be reviewed once every two or more years.

19. Since the sectoral programmes in Agenda 21 will be under review in relevant sectoral forums, the primary task of the review by the Commission on Sustainable Development must be in-depth evaluation, focusing on linkages with other sectoral and cross-sectoral issues. At each session, some sectoral issues would be taken up for in-depth evaluation on the basis of the agreed multi-year review programme. The basic outline of the programme could be considered at the Commission's first substantive session in 1993 on the basis of proposals to be made by the Secretary-General.

20. In order to enable the Commission to discharge its functions effectively its work might be divided into segments. Three to four review segments 3/ and a high-level policy segment could be envisaged. The review segments could be devoted to: (a) consideration of issues of implementation of various chapters/components of Agenda 21 at the international level on the basis of a multi-year review programme; (b) consideration of information provided by Governments and regional organizations; (c) consideration of progress in the implementation of relevant legal instruments and elaboration of future instruments; and (d) consideration of issues related to financing of Agenda 21 and transfer of technology. Irrespective of the number of such segments, it will be important to plan and articulate the work programmes of the segments in such a way as to ensure an integrated approach to the implementation of all chapters of Agenda 21.

21. The high-level policy segment should be attended by ministers and high-level policy makers with responsibility in respect of environment and development and should provide an opportunity to review overall progress in the implementation of commitments contained in Agenda 21, including those related to the provision of financial resources and transfer of technology, and resolve outstanding issues resulting from the work of the various segments. At the same time, it should be future-oriented and contribute to further development and updating of the recommendations of the Conference in the light of progress achieved and new developments. In that context, it would evolve appropriate recommendations on the future orientation of work on sustainable development.

22. As an integral part of its functions, the high-level policy segment of the Commission should seek to provide a contribution to the high-level segment of the Economic and Social Council, particularly by identifying priorities and/or emerging issues related to sustainable development, thereby contributing to the selection of major themes to be addressed at the high-level segment.

23. The Commission may elect a Bureau consisting of a Chairperson and four Vice-Chairpersons, one of whom would also act as Rapporteur, coming from each of the regional groups. Accordingly, the Chairperson might conduct the opening and concluding meetings of the Commission as well as the high-level policy segment, while the Vice-Chairpersons might chair the review segments. The outcome of the segments would take the form of conclusions and recommendations emerging from proposals made by the Secretary-General, members of the Commission and the discussions held.

## E. Rules of procedure

24. Subsidiary bodies set up by the Economic and Social Council, with the exception of regional commissions, normally operate under the rules of procedure of the Council. 4/ Distinct rules of procedure have been established for the functional commissions of the Economic and Social Council and their subsidiary bodies. 5/ In principle, rule 27 of the rules of

procedure of the Council allows its subsidiaries to operate under their own rules of procedure to be drawn up by the Council, or, if it so decides, by the subsidiary organ itself.

25. Should the need arise, the Commission could arrange for ad hoc inter-sessional working groups, with a view to ensuring an in-depth analysis of issues of major importance and/or preparing relevant recommendations for any of the segments of the Commission. Inter-sessional meetings of the bureau could also be convened for these purposes.

## F. Frequency, duration and venue of meetings

26. The calendar of meetings of the Economic and Social Council and its subsidiaries should be so arranged as to enable the Commission to take into account and, as appropriate, analyse relevant aspects of the work of the concerned intergovernmental organizations, particularly the Governing Councils of the United Nations Environment Programme (UNEP) and the United Nations Development Programme (UNDP), and at the same time to enable the Commission to report to the annual substantive session of the Council. Under such a rearranged calendar, the Commission might meet annually for a period of two to three weeks. It could also, as required, hold inter-sessional meetings of particular segments and/or subgroups.

27. During the Conference, most participants who addressed the issue of possible venues for the sessions of the Commission took the view that it should meet either at Geneva or in New York. It may be preferable for the Commission's regular sessions usually to be held at a United Nations headquarters in view of the practical advantages that such venues would offer. The Commission's sessions could also alternate between Geneva and New York, as in the case of the Governing Council of UNDP and the Economic and Social Council.

## G. Participation of intergovernmental organizations

28. Special procedures were followed for the participation and involvement of intergovernmental organizations in the preparations for the United Nations Conference on Environment and Development and at the Conference itself. 6/ In the light of that experience, the Conference, in paragraph 38.11 of Agenda 21 recommended that the Commission on Sustainable Development "should provide for active involvement of organs, programmes and organizations of the United Nations system, international financial institutions and other relevant intergovernmental organizations".

29. In the light of these recommendations it seems important to ensure that the representatives of various parts of the United Nations, international organizations, both inside and outside the United Nations system, including international financial institutions and the General Agreement on Tariffs and Trade (GATT), regional development banks and relevant regional and subregional

intergovernmental economic and technical cooperation organizations be enabled not only to participate as observers in the work of the Commission and make statements on their activities at its sessions, as they normally do in United Nations intergovernmental organs, but also to play an active part in the deliberations in an advisory capacity. Such an enhanced dialogue between representatives of Governments and international organizations should make the deliberations of the Commission more substantive and action-oriented and also contribute to the strengthening of intergovernmental and inter-agency coordination of relevant activities.

## H. Participation of non-governmental organizations

30. In paragraph 38.11 of Agenda 21 the Conference recommended that the Commission on Sustainable Development should encourage the participation of non-governmental organizations, including industry and the business and scientific communities. It further recommended in paragraph 38.44 that "procedures should be established for an expanded role for non-governmental organizations, including those related to major groups, with accreditation based on the procedures used in the Conference".

31. The procedures for the accreditation and participation of non-governmental organizations contributed greatly to the success of the Conference. The General Assembly, drawing on this experience, may wish to formulate guidelines for more active participation of non-governmental organizations in the work of the Economic and Social Council and its subsidiary bodies in line with paragraph 38.44 of Agenda 21. In that light, and in line with paragraph 38.11 of Agenda 21, suitable draft rules of procedure could, in the first instance, be prepared for enhanced participation by non-governmental organizations in the work of the Commission. These could be submitted for consideration by the Council at the organizational session in 1993 or at an earlier special meeting of the Council formally establishing the Commission. (In this connection, see also section II.I below, entitled "Informal arrangements" and section IV, entitled "High-level advisory body".)

## I. Informal arrangements

32. The above procedures could be complemented by informal arrangements in order to enhance dialogue among the Ministers participating in the Commission's sessions, as well as to strengthen the dialogue with non-governmental organizations. In relation to the former, a one-day informal round-table, restricted to ministerial-level participants, could be held, following the working segments, to facilitate preparations for the high-level segment, including by providing advice and views which could assist in resolving any outstanding difficulties. Informal arrangements should also be made to enhance collaboration with the relevant non-governmental organizations, including the scientific community, the private sector and women's groups. This would include developing further channels of communication with non-governmental organizations during inter-sessional periods, and arrangements to draw in a systematic way on the findings of relevant non-governmental organizations and their experience in implementation of Agenda 21 and in the preparation of reports for the Commission.

## J. Relationship with the General Assembly, the Economic and Social Council and their subsidiary bodies

33. In paragraph 38.12 of Agenda 21 the Conference recommended that the organizational modalities for the Commission should take into account the ongoing process of revitalization and restructuring of the work of the United Nations in the economic, social and related fields, in particular measures recommended by the General Assembly in resolutions 45/264 of 13 May 1991 and 46/235 of 13 April 1992 and other relevant Assembly resolutions. Similar recommendations are contained in paragraphs 38.2 and 38.8 of Agenda 21.

34. In order to serve as the focal point of intergovernmental decision-making for the integration of environment and development issues within the United Nations, the Commission should build its work on that of all appropriate sectoral intergovernmental subsidiary bodies of the General Assembly and the Economic and Social Council that address issues related to sustainable development, and elaborate on that basis comprehensive and coherent policy recommendations to the Council and, through it, to the General Assembly. Thus, a clear division of responsibilities between the Commission and the above-mentioned bodies, and the establishment of optimal reporting patterns are essential.

35. The Commission should draw in particular upon the activities of UNEP and UNDP, as well as the United Nations Conference on Trade and Development (UTAD), which, in accordance with Agenda 21 should play a crucial role in the follow-up to the Conference. In the implementation of the Conference outcome, in particular Agenda 21, there will be need for close interaction between the Commission and the governing bodies of these programmes in a way that is mutually reinforcing.

36. A number of other subsidiary bodies have a clear mandate vis-à-vis certain chapters of Agenda 21 (e.g., the Population Commission, the Commission of Science and Technology for Development, the Statistical Commission, the Committee on Natural Resources and the Committee on New and Renewable Sources of Energy and on Energy for Development). Provision should be made to ensure an effective interaction between these bodies and the Commission. Other components of the Economic and Social Council subsidiary machinery also have a role to play in the follow-up to the Conference. It will be necessary to review and adjust the biennial work-plans of all subsidiary bodies in order to respond to Agenda 21 requirements and to focus more sharply on the evolving concept of sustainable development. More generally, the establishment and terms of reference of the Commission should be taken into account in the further review of the structures of the Economic and Social Council in the context of the revitalization of the Council.

37. It will also be essential to organize effective interaction between the Commission and the Council itself, particularly with a view to avoiding repetitive debates on sustainable development. The role of the Commission would be to ensure in-depth consideration of all issues related to the implementation of Agenda 21 and to provide advice and policy recommendations to the Council and through it to the General Assembly. The Council would, in turn, provide an opportunity for integrating the results of the work of the Commission with a broader range of issues on the Council's agenda, including operational activities and humanitarian and emergency relief. The Commission's recommendations on the implementation of Agenda 21 by intergovernmental organizations both within and outside the United Nations system would, in particular, assist the Council in effectively discharging its Charter functions related to system-wide coordination in general, as well as its specific responsibilities for overseeing and directing "system-wide coordination and integration of environmental and developmental aspects of United Nations policies and programmes", as envisaged in paragraph 38.10 of Agenda 21.

38. In order to optimize the division of labour between the Council and the Commission, particularly regarding the role and functions of their high-level segments, and taking into account paragraph 38.10 of Agenda 21, the following arrangements could be envisaged:

(a) Examination by the Economic and Social Council of the report of the Commission, focusing, in particular, on the conceptual integration of the Commission's work with other issues on the Council's agenda;

(b) Consideration of relevant results of the work of the Commission related to implementation of Agenda 21 by international organizations in the course of the Council's coordination segment;

(c) Periodic general overview of the implementation of Agenda 21 and the work of the Commission within the Council's high-level segment, focusing on priorities, new and/or emerging issues, major problem areas, etc.;

(d) Modalities should be developed to synchronize in an optimal way the future programme of work of the Commission, including its high-level segment, with the multi-year work programme of the Council and major policy themes to be considered during the Council's high-level segments, with a view to ensuring effective interaction and avoiding duplication.

39. It will also be important to ensure effective consideration of relevant issues in the General Assembly itself. The reports of the Commission will be brought to its attention in the context of the annual reports of the Economic and Social Council. In deciding how the General Assembly should take up the reports of the Commission, the need to avoid duplication and/or repetition in the debates should be carefully considered. The various aspects of Agenda 21 fall within the competence of the Second, Third and Sixth Committees of the Assembly. For that reason, it was decided that, at the current session, the follow-up to the Conference should be taken up in plenary meeting.

40. In paragraph 38.9 of Agenda 21, the Conference recommended that the General Assembly itself, as the principal policy-making and appraisal organ, consider the timing, format and organizational aspects of a review of the implementation of Agenda 21. It further recommended that the Assembly consider holding a special session no later than 1997 for the purposes of overall review and appraisal of Agenda 21, with adequate preparations at a high level. Proposals on this matter could be the subject of a report by the Secretary-General for presentation at a future session of the Assembly.

41. All of the above considerations point to the special importance of ensuring that the General Assembly, in acting on the issues raised in this section of the report, take into full account ongoing discussions on the role of the United Nations in enhancing international cooperation for development and on the revitalization of the Economic and Social Council, so that the Commission may fit harmoniously in the United Nations intergovernmental machinery addressing various aspects of environment and development and contribute to rationalizing decision-making capacity in this area. It would seem particularly important in this context, bearing in mind the ongoing process of revitalization of the Council, including current discussions on the governance of operational activities, that the General Assembly should allow for a measure of flexibility, so as to be in a position to introduce further modifications, including adjustments in the composition, working methods and procedures of the Commission and its relationship with other subsidiary bodies, which may be required in the light of developments.

## K. Issues that may be considered at the first session of the Commission

42. The United Nations Conference on Environment and Development recommended that the first session of the Commission should be convened no later than 1993. This session will have a number of organizational issues to resolve, including the composition of its Bureau, the format and other modalities of its future programme of work.

43. In the context of the segments referred to earlier, the Commission may wish to consider:

(a) The format and process for the review and monitoring of Agenda 21, particularly the provisions relating to finance and technology transfer;

(b) The format and process for the review of funding and funding mechanisms and the way in which financial institutions can be brought into this process;

(c) The format and process for the consideration of information provided by conferences of parties to conventions/legal agreements;

(d) The format and process for the consideration of information provided by Governments and regional organizations;

(e) Elaboration of a programme of substantive work required in order to support the deliberations of the Commission, particularly with regard to the need to maintain an orientation towards the future development of Agenda 21.

44. The Commission may also wish to give further consideration, as required, to specific modalities and procedures for the participation in its work process of the members of the high-level advisory board, as well as representatives of non-governmental organizations.

## III. INTER-AGENCY COORDINATION ARRANGEMENTS TO FOLLOW UP THE UNITED NATIONS CONFERENCE ON ENVIRONMENT AND DEVELOPMENT AND THE ROLE OF THE ADMINISTRATIVE COMMITTEE ON COORDINATION

45. The implementation of Agenda 21 will require an unprecedented level of cooperation, not only between nations but also between international organizations both within and outside the United Nations system. Agenda 21 itself underscores the need for strengthening inter-agency coordination and close and effective cooperation with other international organizations and financial institutions as an important prerequisite for an effective follow-up to the Conference.

46. In more specific terms, paragraph 38.4 of Agenda 21 states that "all agencies of the United Nations system have a key role to play in the implementation of Agenda 21 within their respective competence. To ensure proper coordination and avoid duplication in the implementation of Agenda 21, there should be an effective division of labour between various parts of the United Nations system based on their terms of reference and comparative advantages". Paragraph 38.1 states that the General Assembly, being the supreme policy-making forum, would provide overall guidance to the United Nations system. Paragraph 38.10 entrusts the Economic and Social Council, in the context of its role under the Charter, with the tasks of overseeing and directing system-wide coordination.

47. The specific objectives of chapter 38 of Agenda 21 include, inter alia, the need to strengthen cooperation and coordination on environment and development in the United Nations system, the need to establish effective cooperation and exchange of information between United Nations organs, organizations, programmes and multilateral financial bodies and the need to ensure clear division of responsibilities and avoidance of duplication in the United Nations system. As also indicated in section V below, the Secretary-General is currently reviewing Secretariat arrangements for programme review and/or coordination, taking into account, inter alia, requirements for the implementation of Agenda 21, to ensure that they are consistent with and supportive of such implementation.

48. In line with paragraph 38.16, Agenda 21 should provide the principal framework for coordination of the activities within the United Nations system to integrate environment and development. To give effect to this recommendation, Member States should ensure that all concerned parts of the United Nations system adopt concrete programmes for the implementation of Agenda 21 and make arrangements for reporting on their relevant activities. In this connection, the need for "serious and continuous reviews of their policies, programmes, budgets and activities" is underlined in paragraph 38.4. In the same context, in paragraph 38.28 of Agenda 21, the Conference recommended that the governing bodies of United Nations specialized agencies and related organizations consider adjusting their activities and programmes in line with Agenda 21.

49. In paragraphs 38.15 and 38.16 of Agenda 21 the Conference recognized the crucial importance of "strong and effective leadership on the part of the Secretary-General", as "the focal point of the institutional arrangements within the United Nations system for the successful follow-up to the Conference and for the implementation of Agenda 21". It also emphasized the need for a coordination mechanism "under the direct leadership of the Secretary-General" to ensure effective monitoring, coordination and supervision of the involvement of the United Nations system in the follow-up to the Conference.

50. In the same section of chapter 38, on inter-agency coordination, the Conference called on all heads of agencies and institutions of the United Nations system to cooperate fully with the Secretary-General in order to make ACC work effectively in fulfilling its crucial role and ensure the successful implementation of Agenda 21. It also recommended that the ACC consider establishing a special task force, subcommittee or a board on implementation of Agenda 21, taking into account the experience of the Designated Officials for Environmental Matters (DOEM) and the Committee of International Development Institutions on Environment (CIDIE), as well as the respective roles of UNEP and UNDP. Moreover, the need for inter-agency coordination arrangements related to the implementation of various sectoral and cross-sectoral objectives of Agenda 21 is highlighted in a number of its chapters.

51. In the light of the above provisions, the Secretary-General, immediately following the Conference, established an Ad Hoc Task-Force of the ACC chaired by the Director-General of the Food and Agriculture Organization of the United Nations (FAO), with a view to preparing proposals, for consideration by the second regular session of ACC of 1992 (20-21 October 1992), on how the interactions within the United Nations system for the implementation of Agenda 21 could best be organized. Upon recommendation of this Task-Force, ACC has now decided to establish an Inter-Agency Committee on Sustainable Development (IACSD), to identify major policy issues relating to the follow-up to the Conference by the United Nations system and advise ACC on ways and means of addressing them so as to ensure the effective cooperation and coordination of the United Nations system in the implementation of Agenda 21. To this effect the IACSD will:

(a) In the light of the guidance and instructions received from ACC, examine information regarding the implementation of Agenda 21 provided by the organizations of the United Nations system, relevant subsidiary bodies of ACC and non-ACC coordinating bodies, and identify for ACC overall policy issues and major gaps and constraints affecting United Nations system cooperation in the follow-up to the Conference;

(b) Formulate, for consideration and decision by ACC, recommendations to enhance the effectiveness of cooperation and coordination within the United Nations system in the implementation of Agenda 21;

(c) On the basis of (a) and (b) above, prepare brief reports identifying issues and making recommendations on overall policy and coordination, for decision by ACC; these reports should be prepared in such a way as to provide a basis for subsequent reports of ACC to the relevant intergovernmental bodies (as required by paragraph 38.17 of Agenda 21);

(d) Perform other tasks as required by ACC including, where appropriate, monitoring follow-up of relevant ACC decisions.

52. The Inter-agency Committee on Sustainable Development will have participation at the level of senior officials from a core number of ACC members. These will include the organizations which provided the core membership of the Ad Hoc Task Force of ACC referred to in paragraph 51 above - FAO, the United Nations Educational, Scientific and Cultural Organization (UNESCO), the World Health Organization (WHO), World Bank, the World Meteorological Organization (WMO), UNDP and UNEP - and two additional members designated by the Secretary-General - the International Labour Organisation (ILO) and IAEA. This composition will be reviewed by ACC after two years. Meanwhile, the Inter-agency Committee will remain open to all members of ACC interested in specific issues placed on the agenda of its session. The Committee's chairperson will be designated by the Secretary-General after consultation with ACC members.

53. At its second regular session of 1992, ACC also undertook an overall review of its own functioning and that of the ACC machinery with a view to enhancing overall inter-agency coordination and simplifying and rationalizing the structures and methods of work of its subsidiary bodies. As a contribution to that process, ACC further decided that IACSD, with the help of the secretariat support structure referred to in section V below should launch a process utilizing inter-agency consultations to assist ACC to: streamline the inter-agency coordinating machinery; allocate and share responsibilities for the implementation of Agenda 21 by the United Nations system; monitor new and additional financing requirements of the organizations of the United Nations system related to Agenda 21, taking into account the decisions of their governing bodies; and assess related reporting requirements and make recommendations on their streamlining. IACSD was requested to submit a progress report on the implementation of this decision to the April 1993 session of ACC.

54. ACC also decided to place a standing item on its agenda relating to follow-up to the Conference by the United Nations system. The coordination machinery within ACC for the follow-up to the Conference will thus comprise ACC itself, IACSD and the streamlined ACC subsidiary machinery, which will ensure complementarity and synergy at technical and working levels.

55. Further details on these institutional arrangements as well as ACC's conclusions on principles and guidelines for the allocation and sharing of responsibilities within the United Nations system for the implementation of Agenda 21, and enhanced cooperation between the multilateral funding institutions and other United Nations system organizations, are set out in a statement adopted by ACC, which will be submitted to the General Assembly in a separate addendum to the present document.

56. The Secretary-General will further report to the Commission on Sustainable Development on the results of future discussions and action within the Administrative Committee on Coordination regarding system-wide coordination arrangements for the implementation of Agenda 21.

## IV. HIGH-LEVEL ADVISORY BODY ON SUSTAINABLE DEVELOPMENT

57. Paragraph 38.18 of Agenda 21 states that intergovernmental bodies, the Secretary-General and the United Nations system as a whole may benefit from the expertise of a high-level advisory board consisting of eminent persons knowledgeable about environment and development, including relevant sciences, appointed by the Secretary-General in their personal capacity.

58. The main task of such a board would be to provide high-level expert advice to the Secretary-General and to assist him in formulating proposals for ACC and the Commission on Sustainable Development.

59. The Secretary-General considers that this Board should consist of eminent persons broadly representative of all regions of the world, with recognized expertise on the broad spectrum of issues to be dealt by the Commission on Sustainable Development, including Agenda 21. Its membership would consist of 15 to 25 persons, drawn from relevant scientific disciplines, industry, finance and other major non-governmental constituencies, as well as various disciplines related to environment and development. Due account should also be given to gender balance. The Board should enable the Secretary-General to have access to a wide range of independent expertise, including that available in national, regional and global institutes, as well as to the perspective of major constituencies and professions. He would solicit its advice, as the need arose. Members of the Board might also, on request, take part in the sessions of the Commission, particularly its high-level policy segment, to provide expert advice.

60. The Secretary-General is concerned with the possible overlap between the functions of the Board as outlined above, and the Committee for Development Planning, which was established by the Economic and Social Council in 1966 to assess world development trends and prospects and to formulate recommendations in the areas of development and international economic cooperation. Since the areas covered in the work of the Committee for Development Planning and the type of expertise available in its membership are potentially similar to those of the High-level Advisory Board, the Secretary-General would propose that a single body should be established to provide high-level advice on all questions relating to environment and development. Accordingly, and subject to the views of the General Assembly, the Secretary-General intends to submit a proposal for membership of the High-level Advisory Board, keeping in mind the membership and terms of reference of the Committee for Development Planning, at the organizational session of the Economic and Social Council in 1993.

## V. SECRETARIAT SUPPORT STRUCTURE

61. The Conference stated in paragraph 38.19 of Agenda 21 that "a highly qualified and competent secretariat support structure within the United Nations Secretariat, drawing, inter alia, on the expertise gained in the Conference preparatory process, is essential for the follow-up to the Conference and the implementation of Agenda 21". It recommended that this secretariat support structure should provide support to the work of both intergovernmental and inter-agency coordination mechanisms. It further recommended in paragraph 38.11 that this structure should provide support to the Commission on Sustainable Development.

62. The Secretary-General fully shares the emphasis placed by the Conference on the need for the Commission on Sustainable Development and the inter-agency coordination mechanisms to rely upon adequate and competent secretariat support. In the period ahead, a vast amount of conceptually difficult work will need to be carried out within the entire United Nations system to analyse

thoroughly existing and planned programmes of work, review current policies, budgets and activities, and elaborate proposals for governing bodies as to how they can be adjusted to meet Conference objectives.

63. Thus, substantive follow-up to the Conference will need to be conducted from an identifiable focal point within the United Nations Secretariat, which would assist the Secretary-General in coordinating the implementation of the decisions taken at the Conference and enhance inter-agency cooperation and collaboration in environment and development throughout the United Nations system. This secretariat unit will also be responsible for providing substantive secretariat support to the work of the Commission on Sustainable Development and the Inter-Agency Committee on Sustainable Development of ACC. To these ends it would have the following set of functions:

(a) To monitor and analyse information on the progress made in the implementation of Agenda 21 at the international level achieved by relevant international organizations and financial and development institutions and mechanisms;

(b) To gather and analyse information with a view to assisting the Commission on Sustainable Development in monitoring and assessing progress made towards the achievement of the commitments contained in Agenda 21, particularly those related to finance and technology;

(c) To collect and assess information provided by States and regional and subregional organizations with a view to analysing the main trends and progress achieved in the implementation of Agenda 21 at the national and regional levels;

(d) To collect and analyse information on the progress made in the implementation of relevant legal instruments and, as the need may arise, for the consideration of new instruments in areas not covered by existing ones;

(e) To collect and analyse contributions from non-governmental organizations, including the scientific and business communities;

(f) On the basis of the functions outlined above, to undertake required studies and formulate appropriate recommendations aimed at enabling the Commission on Sustainable Development to give general policy guidance to the implementation of the objectives and proposals for action adopted at the Conference;

(g) To provide a focal point for the ACC subsidiary mechanism on sustainable development, for the coordination and harmonization of United Nations system-wide activities related to the implementation of Conference recommendations, in particular the implementation of Agenda 21;

(h) To ensure effective coordination of the activities of the various parts of the United Nations system related to planning and programming for the implementation of Agenda 21, with a view to achieving optimal division of

labour and responsibilities and avoiding duplication, building on the experience of a working party approach developed during the preparatory process for the Conference;

(i) To provide support for the High-level Advisory Board on sustainable development and liaison with its members;

(j) To establish and maintain effective liaison with international organizations and financial institutions outside the United Nations system dealing with sustainable development issues, as well as with the secretariats of the relevant conventions;

(k) To serve as a focal point for Governments on all matters related to the follow-up to the Conference and the work of the Commission;

(l) To continue, taking into account the experience gained and procedures developed during the preparatory process for the Conference, to develop liaison and interaction with non-governmental organizations active in the area of environment and development on issues related to the work of the Commission and the follow-up to the Conference;

(m) To disseminate information, in cooperation with the Department of Public Information of the Secretariat, to the general public and mass media regarding the follow-up process, with a view to maintaining and enhancing the high level of public awareness created by the Conference about sustainable development issues.

64. As indicated in the foreword to the report of the Secretary-General on enhancing international cooperation for development and the role of the United Nations system, 7/ and reiterated in his annual report on the work of the Organization (A/47/1), as well as in his report on the restructuring and revitalization of the United Nations in the economic and social and related fields (A/47/534) before the General Assembly, the Secretary-General is currently engaged in a comprehensive review of secretariat structures in the economic and social field, with a view to further rationalizing them and achieving a more effective Organization-wide distribution of responsibilities. The aim is to enhance the quality and coherence of the support provided by the Secretariat to central intergovernmental bodies in the economic and social field, including support for current reform efforts, and to improve the effectiveness of overall secretariat activities relating to data gathering and research on the one hand and operational activities on the other.

65. The requirements for secretariat support for the follow-up to the Conference, as well as the experience gained in the first phase of the reorganization, and the consequential adjustments to be introduced in the structures put in place in that phase, are among the main factors being taken into account in the review.

66. Pending the outcome of this review, the Secretary-General is not in a position to set out in precise terms in the present report, his conclusions as to the specific location within the Secretariat of institutional arrangements for the follow-up to the Conference. The Secretary-General intends to do so, and to provide an indication of specific staffing implications, later during the current session of the General Assembly.

67. Meanwhile, the following are some of the main considerations underlying the Secretary-General's approach to the matter. Firstly, the Secretary-General appreciates the Conference's recognition of the importance of avoiding viewing institutional arrangements for the follow-up to the Conference in isolation from the current revitalization and reform efforts, and of addressing instead secretariat support in this broad area "in the context of current and ongoing restructuring of the United Nations Secretariat" as specified in Agenda 21. In the same light, the Secretary-General shares the emphasis placed by the Conference on making the "optimum use of existing resources". Finally, the Secretary-General attaches the utmost importance to ensuring that such secretariat support should meet the highest standards of competence, including through equitable gender balance, as defined in the Charter.

68. On the basis of these general considerations, an appropriate balance must be achieved between two key objectives. One is to ensure that the new institutional arrangements give the important issue of sustainable development the visibility it deserves within the overall structures of the Organization. The other, is to see to it that these arrangements are innovative and do not detract from, but rather contribute to, a clearer distribution of responsibilities within the Secretariat and to the overall coherence of secretariat support for central intergovernmental bodies in the economic and social field.

69. The above considerations, as well as the observations in paragraphs 33 to 41 above, concerning the relationship between the Commission on Sustainable Development, the Economic and Social Council and other United Nations intergovernmental bodies, would suggest the desirability of a single streamlined structure which would provide a common framework for the provision of overall support to the Council on the one hand, and Secretariat follow-up to the Conference on the other. These interrelated functions focus on the analysis and synthesis of inputs and the provision of support for central coordinating, policy-review and policy-making functions. By placing them under common direction, a synergy should be created, which would contribute to both efficiency and overall policy coherence.

70. The most appropriate structural arrangements for other sets of functions in the economic and social fields, relating to data gathering and research on the one hand, and operational activities on the other, are still under consideration, as an integral part of the current phase of Secretariat restructuring. The Secretary-General will revert to these issues - including ways of achieving a better balance between functions performed at Headquarters and those that can best be carried out by the regional commissions and the concerned United Nations programmes - later in the session.

## Notes

1/ See Report of the United Nations Conference on Environment and Development, Rio de Janeiro, Brazil, 3 to 14 June 1992 (A/CONF.151/26, vols. I to V).

2/ For more information see Repertory of Practice of United Nations Organs, and Supplements 1 to 4, Article 68, part 1, section C "Functions and Powers".

3/ Different numbers of segments could be organized during particular sessions of the Commission.

4/ E/5715/Rev.1.

5/ E/5975/Rev.1.

6/ These included the General Assembly's decision on the recommendation of the Preparatory Committee for the Conference to provide for the full participation of the European Economic Community in the Conference.

7/ E/1992/82/Add.1.

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